IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH.

C.R.No. 4732 of 2006

Date of decision : 8.9.2006.

Gurmeet Singh Brar.

.....Petitioner.

Versus

Smt. Harsharan Kaur Atwal.

.....Respondent.

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Present: Mr.C.S.Pasricha,Advocate
for the petitioner.

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VINOD K. SHARMA, J. (ORAL)

Present revision petition has been filed against the order dated 2.8.2006 passed by learned Civil Judge (Jr.Divn.), Chandigarh vide which the evidence of the petitioner has been closed by order.

On the date fixed for evidence of the petitioner, two applications were moved, one for calling the concerned Clerk from the office of Income Tax department for bringing Income Tax Returns relating to Harsharan Atwal for the years 1998-99, 1999-2000 and 2000-2001. The said application was declined. The learned counsel for the petitioner does not press the same.

Another application was also moved seeking directions to the plaintiff to produce income tax statement for the years 1998 to 2001. The said application was also declined as no such prayer was made when the plaintiff was examined as her own witness. Thereafter, the learned counsel for the petitioner had prayed that one of the witnesses, who was brought by

him on the next date of hearing, had filed an affidavit in examination-in-Chief, but was not cross-examined as the Court has closed the evidence. The learned Trial Court came to the conclusion that the petitioner had taken Dasti summons and bailable warrants but did not file the warrants fee nor any explanation was given for non-production of further evidence.

In this view of the matter, the learned trial Court was right in declining the prayer of the petitioner and the same does not call for any interference by this court under Article 227 of the Constitution of India.

Dismissed.

September 8,2006. **(VINOD K. SHARMA)**
'sp' **JUDGE**